

**立法會**  
***Legislative Council***

LC Paper No. CB(2)708/20-21

Ref : CB2/H/5/20

**House Committee of the Legislative Council**

**Minutes of the 11th meeting  
held in Conference Room 1 of the Legislative Council Complex  
at 2:30 pm on Friday, 15 January 2021**

**Members present :**

Hon Starry LEE Wai-king, SBS, JP (Chairman)  
Hon MA Fung-kwok, GBS, JP (Deputy Chairman)  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon WONG Ting-kwong, GBS, JP  
Hon CHAN Hak-kan, BBS, JP  
Hon CHAN Kin-por, GBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon WONG Kwok-kin, SBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Steven HO Chun-yin, BBS  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon YIU Si-wing, BBS  
Hon CHAN Han-pan, BBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon KWOK Wai-keung, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, GBS, JP  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, SBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon CHUNG Kwok-pan  
Hon Jimmy NG Wing-ka, BBS, JP  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-fai, JP

Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan, JP  
Dr Hon Pierre CHAN  
Hon CHAN Chun-ying, JP  
Hon CHEUNG Kwok-kwan, JP  
Hon LUK Chung-hung, JP  
Hon LAU Kwok-fan, MH  
Hon Kenneth LAU Ip-keung, BBS, MH, JP  
Dr Hon CHENG Chung-tai  
Hon Vincent CHENG Wing-shun, MH, JP  
Hon Tony TSE Wai-chuen, BBS, JP

**Members absent :**

Hon Abraham SHEK Lai-him, GBS, JP  
Dr Hon Junius HO Kwan-yiu, JP

**Clerk in attendance :**

Miss Flora TAI Clerk to the House Committee

**Staff in attendance :**

Mr Kenneth CHEN, SBS	Secretary General
Ms Connie FUNG	Legal Adviser
Miss Odelia LEUNG	Deputy Secretary General
Ms Anita SIT	Assistant Secretary General 1
Ms Dora WAI	Assistant Secretary General 3
Mr Matthew LOO	Assistant Secretary General 4
Mr Timothy TSO	Senior Assistant Legal Adviser 1
Ms Clara TAM	Acting Senior Assistant Legal Adviser 2
Mr Bonny LOO	Senior Assistant Legal Adviser 3
Ms Alice LEUNG	Chief Council Secretary (2)6
Miss Connie AU	Senior Council Secretary (2)6
Mr Richard WONG	Senior Council Secretary (2)8
Miss Michelle TANG	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

Action

**I. Confirmation of minutes of meeting**

**Minutes of 10th meeting held on 8 January 2021**  
(LC Paper No. CB(2)641/20-21)

The minutes were confirmed.

**II. Matters arising**

**Report by the Chairman on her meeting with the Chief Secretary for Administration**

2. The Chairman said that Members' concerns and views on various issues, including the government officials' replies to oral questions raised at Council meetings and late provision of papers by the Administration for Panel meetings as well as the anti-epidemic measures, etc., expressed at the last meeting of the House Committee ("HC") had been relayed to the Chief Secretary for Administration ("CS"). CS had responded that he understood Members' concerns over the replies provided by government officials to Members' questions and the timing for provision of the Administration's papers. He would reflect Members' views to principal officials and remind them to comply with the relevant guidelines.

The government officials' replies to oral questions raised at Council meetings and provision of papers for Panel meetings

3. The Chairman said that Dr Priscilla LEUNG had written to her on 13 January 2021 requesting her to reflect to CS that the Secretary for Food and Health ("SFH") had failed to reply to the questions raised by Dr LEUNG at the Council meeting of 13 January 2021 properly. The Chairman advised that she would relay Dr LEUNG's concern to CS when she met with CS next Monday, and a copy of Dr LEUNG's letter would also be passed to CS for follow-up.

4. Dr Priscilla LEUNG said that the replies provided by SFH to some oral questions raised by Members and also a written question raised by her at the said Council meeting were too lengthy and had not addressed the questions in a precise manner. She hoped that the Bureau Secretaries would respect Members of the Legislative Council and would get well prepared prior to attending Council meetings to answer the questions from Members.

5. Mr Tony TSE said that while it was important for the policy bureaux and government departments to observe the relevant guidelines on the timing for provision of papers for Panel meetings, the content of the papers was equally important. He considered that sometimes the information contained in the Administration's papers for the Panel meetings was too brief which made it difficult for Members to deliberate on the subject matters concerned. He hoped that the Chairman could draw CS's attention to this issue.

The way in which the Bureau Secretaries disseminated information to the media

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6. Mr Michael TIEN expressed concern that the ideas on certain new policies or measures floated by the Bureau Secretaries to the media (such as the provision of cash allowance for persons who had contracted coronavirus disease 2019 ("COVID-19") and mandating shopping centres to close earlier) had sometimes aroused controversy in the community. He considered that the Bureau Secretaries should disclose the information only when the relevant policies or measures had been adequately discussed within the Government so as to minimize disputes in the community. In his view, this would also be conducive to enhancing the relationship between the Legislature and the Executive Authorities.

Anti-epidemic measures

7. Mr Steven HO and Ms Elizabeth QUAT shared a similar concern about the impact on flower farmers brought by the Administration's decision to cancel the Lunar New Year ("LNY") fairs. Mr HO considered that such a measure would not help reduce social contacts in the community but instead, it would cause the public to flock to the flower shops in Mongkok Flower Market to make their purchase. He said that the Government should be held responsible for the political consequences and other consequences on Hong Kong's anti-epidemic work arising from its decision to cancel the LNY fairs. Mr HO considered that the LNY fairs should be maintained and he hoped that CS could coordinate with the bureaux and departments concerned to assist flower farmers to sell their flowers.

8. Echoing Mr Steven HO's view, Mr Tommy CHEUNG said that he was strongly of the view that the Administration should strike a balance between the need to implement anti-epidemic measures and the need of the enterprises to do business. He said that prohibiting catering

premises from providing dine-in service from 6:00 pm to 4:59 am of the subsequent day and the cancellation of the LNY fairs had dealt a severe blow to the affected trades, in particular during the festive seasons from December to February. Ms Elizabeth QUAT reiterated her concern expressed at the last HC meeting over the difficulties faced by some small, medium and micro-sized enterprises (such as beauty parlours) under the tightened social distancing measures. She hoped that the Administration could allow these enterprises to re-open their business under certain anti-epidemic conditions.

9. Ir Dr LO Wai-kwok expressed concern about the public's attitude towards receiving COVID-19 vaccination. He considered that the Administration should engage medical experts to assess the effectiveness of COVID-19 vaccines and release such information to the public with a view to enhancing their confidence in receiving the vaccination. Ir Dr LO considered that the administration of COVID-19 vaccines and COVID-19 testing were instrumental to resuming cross-boundary travel. Mr Vincent CHENG said that there was a small-scale outbreak of COVID-19 in Yau Ma Tei recently but many ethnic minorities residing in the district could only obtain limited anti-epidemic information through the promotional leaflets issued by the Home Affairs Department. He hoped that the Steering Committee on Ethnic Minorities Affairs, which was chaired by CS, could coordinate with the parties concerned to disseminate more anti-epidemic information to ethnic minorities.

10. The Chairman reiterated that as a general principle, Members should confine their views on matters relating to the relationship between the Legislature and the Executive Authorities under this item. She reminded Members that they should follow up their issues of concerns or request the Administration to provide supplementary information to their questions at the relevant Panels. Alternatively, Members could follow up with the relevant Bureau Secretaries directly.

### **III. Further business for the Council meeting on 20, 21 and 22 January 2021**

#### **(a) Laying of Papers on the Table of the Council**

**Report No. 9/20-21 of the House Committee on Consideration  
of Subsidiary Legislation and Other Instruments**  
(*LC Paper No. CB(2)635/20-21*)

11. The Chairman said that the Report covered one item of subsidiary legislation (i.e. Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 14) Regulation 2020 (L.N. 235)) and the period for amending it would expire at the Council meeting of 20 January 2021. No Member had indicated intention to speak on the subsidiary legislation.

(b) **Member's motion**

**Motion of Thanks to be moved by Hon Starry LEE**  
(*LC Paper No. CB(3)278/20-21*)

12. The Chairman said that she would, in her capacity as the Chairman of HC, move the above motion at the meeting.

**IV. Business for the Council meeting of 27 January 2021**

(a) **Questions**

(*LC Paper No. CB(3)286/20-21*)

13. The Chairman said that a list setting out the Members who had been allocated question slots for the meeting had already been issued to Members.

(b) **Government Bill - First Reading and Second Reading (debate to be adjourned)**

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14. The Chairman said that no notice had been received yet.

(c) **Government Motion**

15. The Chairman said that no notice had been received yet.

(d) **Members' Motions**

16. The Chairman said that Members' motions which had stood over from previous Council meetings would be dealt with at the meeting.

### Report of HC on Consideration of Subsidiary Legislation

17. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)294/20-21), which contained 11 items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 27 January 2021. She reminded Members to indicate their intention by 5:00 pm on Tuesday, 19 January 2021, should they wish to speak on any of those items of subsidiary legislation.

*(Post-meeting note: as the HC meeting originally scheduled for 22 January 2021 had been cancelled, a circular on the draft Report of the House Committee on Consideration of Subsidiary Legislation and Other Instruments to be presented by the Chairman to the Council at its meeting of 27 January 2021 was issued to Members on 18 January 2021 vide LC Paper No. CB(2)661/20-21 inviting Members to indicate their intention to speak on any of those items of subsidiary legislation.)*

## **V. Reports of Bills Committees and subcommittees**

### **Third report of the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease**

18. Dr CHIANG Lai-wan, Chairman of the Subcommittee, made a verbal report on the Subcommittee's deliberations. She said that after the submission of the Subcommittee's second report to HC on 8 January 2021, the Subcommittee had held a meeting with the Administration and had completed scrutiny of one item of subsidiary legislation relating to compulsory testing and three items of subsidiary legislation relating to border control measures.

19. Dr CHIANG further said that members of the Subcommittee had expressed concern over the Administration's decision to require certain persons to undergo compulsory testing for COVID-19 as well as the criteria for making a restriction-testing declaration. There was a suggestion that the Administration should set up a quick reaction team to carry out the relevant compulsory testing work, and enhance manpower for the mobile specimen collection stations set up for persons subject to compulsory testing, with a view to shortening the waiting time. In addition, some members of the Subcommittee had requested the Administration to adopt more stringent enforcement actions to trace all

persons who had failed to comply with compulsory testing, including instituting prosecutions against the relevant persons, in order to achieve the purpose of "compulsory testing on a mandatory basis" and to cut the transmission chain in the community as soon as possible.

20. Dr CHIANG further advised that regarding the requirement that persons arriving at Hong Kong should be subject to compulsory quarantine, in view that the global epidemic situation remained severe, and the incubation period of the COVID-19 virus carried by very few infected persons might be longer than 14 days, SFH had been empowered to specify designated quarantine periods; and depending on the extent and pattern of the spread of the virus in the relevant places and the public health risk brought to Hong Kong by those persons arriving at Hong Kong from the relevant places, to specify different specified periods for different places in which the relevant persons had stayed before the arrival, provided that both the designated quarantine period and the specified period should not exceed 28 days. Members of the Subcommittee had raised no objection to such approach.

21. Dr CHIANG informed Members that the Subcommittee would not propose any amendments to these four items of subsidiary legislation, and would submit a written report in due course.

22. The Chairman reminded Members that regarding the four items of subsidiary legislation covered in the Subcommittee's third report:

- (a) the period for amending L.N. 251 would expire at the Council meeting of 27 January 2021, and the deadline for giving notice of amendments, if any, would be Wednesday, 20 January 2021; and
- (b) the period for amending L.N. 259 to L.N. 261 would expire at the Council meeting of 3 February 2021, and the deadline for giving notice of amendments, if any, would be Wednesday, 27 January 2021.



**VI. Position on Bills Committees and subcommittees**  
*(LC Paper No. CB(2)642/20-21)*

23. The Chairman said that as at 14 January 2021, there were six Bills Committees, two subcommittees under HC and 10 subcommittees on policy issues under Panels in action. Six subcommittees on policy issues were on the waiting list.

**VII. Any other business**

24. There being no other business, the meeting ended at 2:45 pm.

Council Business Division 2  
Legislative Council Secretariat  
27 January 2021